Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

17 February 1997 [shall come into force on 6 March 1997];

23 November 2000 [shall come into force on 20 December 2000];

16 June 2005 [shall come into force on 20 July 2005];

22 June 2006 [shall come into force on 1 July 2006];

27 September 2007 [shall come into force on 25 October 2007];

17 July 2008 [shall come into force on 1 July 2009];

12 June 2009 [shall come into force on 29 June 2009];

1 December 2009 [shall come into force on 1 January 2010];

13 May 2010 [shall come into force on 15 June 2010];

23 September 2010 [shall come into force on 19 October 2010];

22 January 2015 [shall come into force on 25 February 2015];

13 February 2020 [shall come into force on 11 March 2020];

8 April 2021 [shall come into force on 4 May 2021].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Law on the Status of the Councillor of the Local Government Council**

[*8 April 2021*]

**I. General Provisions**

**Section 1. Purpose of the Law**

This Law governs the rights and duties (hereinafter – the mandate) of the councillors of the local government council (hereinafter – the council) and also the guarantees which ensure the implementation of such mandate.

[*17 July 2008; 8 April 2021*]

**Section 2. Term of Mandate of a Councillor**

The mandate of a councillor shall commence from the day of the first meeting of the newly elected council or from the time when the next candidate from the relevant list takes the place of the previous councillor in accordance with the procedures laid down in Section 43 of the Law on the Election of Local Government Councils.

The mandate of a councillor shall expire on the day of the first meeting of the next session or with the establishment of a temporary administration in accordance with the provisions of Section 24 of the Law on the Election of Local Government Councils.

[*17 July 2008; 8 April 2021*]

**Section 3. Expiry of the Mandate of a Councillor before Term**

The mandate of a councillor shall expire before term:

1) from the time when the council has taken the decision on the expiry of the mandate of the councillor due to a personal written submission of the councillor regarding laying down his or her mandate;

2) on the day when a court judgment of conviction of the councillor has entered into legal effect or a court ruling whereby the court has established trusteeship over a councillor has entered into effect;

3) on the day when a court judgment has entered into legal effect by which the fact that the councillor has been elected by violating the restrictions specified in the Law on the Election of Local Government Councils is established;

4) on the day when the fact that the councillor does not belong to the aggregate of the citizens of Latvia or European Union is established in accordance with the procedures laid down by the law;

5) from the time when the council in the composition of which the councillor has been elected has revoked the mandate of the councillor in the case provided for in Section 4 of this Law;

6) in other cases provided for by the law.

If the councillor has been elected as the President or a member of the *Saeima* or if he or she becomes a prosecutor, a judge or a soldier of the professional service during the term of his or her mandate, his or her mandate shall expire on the day when he or she has taken any of the abovementioned offices.

The councillor may submit a personal written submission regarding laying down his or her mandate for any reason.

The decision on the expiry of the mandate of the councillor before term due to his or her submission shall be taken during the subsequent council meeting as soon as the chairperson of the council has received the personal written submission of the councillor regarding laying down his or her mandate. If the council fails to take such decision, the mandate of the relevant councillor shall expire on the day following the day of the relevant council meeting.

[*23 November 2000; 27 September 2007; 17 July 2008; 22 January 2015; 8 April 2021*]

**Section 3.1 Temporary Laying Down of the Mandate of a Councillor**

A councillor who has temporarily entered the composition of the *Saeima* while a member of the *Saeima* has laid down the mandate of the member for the time period of the fulfilment of the office of the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments has the duty to lay down the mandate of the councillor for the time period of the fulfilment of the position of the member of the *Saeima*.

The councillor has the obligation to lay down the mandate of the councillor for the time period of the fulfilment of the office of the Prime Minister, the Deputy Prime Minister, the Minister, and the Minister for Special Assignments.

The councillor has the right to lay down the mandate of the councillor for the time period of prenatal leave, maternity leave, and parental leave, and also for the time period of leave for a child’s father, adopter or another person who actually takes care of a child.

In the cases referred to in Paragraphs one, two, and three of this Section, the councillor shall submit a submission to the chairperson of the council regarding laying down the mandate of the councillor. Upon receipt of the submission regarding laying down of the mandate, the chairperson of the council shall immediately notify the election commission of the relevant local government thereof and provide information thereon in the subsequent meeting of the council. The mandate of the relevant councillor shall expire from the time when information thereon has been provided in the council meeting.

If the councillor has temporarily laid down the mandate of the councillor, the next candidate shall enter his or her place in accordance with the procedures specified in Section 43 of the Law on the Election of Local Government Councils.

A member of the *Saeima* who has laid down the mandate of the councillor in accordance with the procedures specified in this Section may renew it during the mandate of the relevant council after expiry of the mandate of the *Saeima*.

The Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments who has laid down the mandate of the councillor in accordance with the procedures specified in this Section may renew it during the mandate of the relevant council if he or she resigns from the office of the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments or if the Cabinet resigns. This includes the case where the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments resigns individually or together with the Cabinet due to the vote of no confidence of the *Saeima*.

A councillor who has laid down his or her mandate of the councillor in accordance with the procedures specified in Paragraph three of this Section and also the member of the *Saeima*, the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments shall submit a submission to the chairperson of the council of the relevant local government regarding renewal of the mandate of the councillor within a week from the day when the leave referred to in Paragraph three of this Section has ended or he or she has terminated to fulfil the office duties of the member of the *Saeima*, or the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments.

Upon receipt of a submission regarding renewal of the mandate of the councillor, the chairperson of the council shall immediately notify the election commission of the relevant local government thereof and provide information thereon in the next meeting of the council. The mandate of the councillor invited in accordance with the procedures specified in Paragraph five of this Section shall expire from the time when information has been provided thereon in the meeting of the council and the mandate of the councillor shall be renewed for a councillor who had laid it down temporarily while he or she was on the leave referred to in Paragraph three of this Section or fulfilled the office duties of the member of the *Saeima*, the Prime Minister, the Deputy Prime Minister, the Minister, the Minister for Special Assignments.

If a candidate has already entered the composition of the council in accordance with the procedures specified in Paragraph four of this Section, he or she shall not be invited to enter the composition of the council instead of another councillor who lays down his or her mandate temporarily in the case referred to in Paragraph one or two of this Section.

If in the cases referred to in Paragraphs one, two, and three of this Section the mandate is laid down by several councillors who have been elected from the list of one title, then, upon renewing the mandate for one of them, the mandate shall expire for the councillor who has entered the composition of the council from the relevant list as the last in accordance with the procedures specified in Paragraph four of this Section.

[*23 November 2000; 22 June 2006; 17 July 2008; 22 January 2015; 8 April 2021*]

**Section 4. Revocation of the Mandate of a Councillor**

The council may revoke the mandate of a councillor if a councillor has not participated in the meeting of the council more than three times in succession without justification.

The mandate of the councillor may be revoked by a court judgment if the proficiency of the official language of the councillor fails to meet the level of proficiency determined by the Cabinet or the councillor has failed to attend the examination of the use of the official language without justification.

If the State Language Centre, in accordance with the procedures laid down by law, establishes that the proficiency of the official language of the councillor fails to meet the level of proficiency determined by the Cabinet or the councillor has failed to attend the examination of the use of the official language without justification, the State Language Centre has the obligation to encourage the relevant councillor in writing to acquire the official language at the necessary level in accordance with the procedures laid down by law and also to inform the chairperson of the relevant council.

Upon receipt of the information referred to in Paragraph three of this Law, the councillor has the obligation to acquire the official language within six months up to the level of proficiency specified by the Cabinet.

The examination of the use of the official language of the councillor shall be performed within a month after the end of the time period specified in Paragraph four of this Section.

If the councillor fails to arrive to a re-examination of the use of the official language without justification or it is determined repeatedly that the proficiency of the official language of the councillor fails to meet the level of proficiency specified by the Cabinet, the State Language Centre has the obligation to submit a statement of claim to a district (city) court according to the location of the local government regarding revocation of the mandate of the councillor. A ruling of the district (city) court and also other decisions which are taken by the court when performing procedural actions for the examination of the submitted application or action brought shall not be subject to appeal.

The mandate of the councillor shall be revoked from the day when the court judgement regarding revocation of the mandate of the councillor enters into effect.

The legality of the documents which the institutions have accepted in accordance with Paragraphs three, four, and six of this Section, insofar as it is necessary for the revocation of the mandate of the councillor, shall be assessed when examining the statement of claim referred to in Paragraph six of this Section.

[*23 September 2010; 13 February 2020*]

**Section 4.1 Suspension of the Mandate of a Councillor and Temporary Substitution of a Councillor**

If a councillor has not participated in the council meetings for three months in succession due to the procedural compulsory measure applied in accordance with the procedures specified in the Criminal Procedure Law or the state of health, his or her mandate may be suspended, taking a relevant decision of the council, or it may be suspended if it is requested by the submitter of the list of candidates from which the relevant councillor has been elected to the council. After receipt of a submission of the submitter of the list of candidates, the chairperson of the council shall inform councillors thereof in the next council meeting and the mandate of the relevant councillor shall be suspended from that time. If the submission of the submitter of the list of candidates is not examined in the next council meeting, the mandate of the relevant councillor shall be suspended from the day following the day of the council meeting. The chairperson of the council shall immediately notify the election commission of the local government of the suspension of the mandate of the councillor in compliance with the decision of the council or the submission of the submitter of the list of candidates. The next candidate shall take the place of the councillor in accordance with the procedures specified in Section 43 of the Law on the Election of Local Government Councils for the time period of suspension of the mandate of the councillor.

If the basis for substitution of the councillor referred to in Paragraph one of this Section has ceased to exist, the substituted councillor shall, within a week, submit a submission to the chairperson of the council of the relevant local government regarding resuming the fulfilment of the duties of the councillor.

After the chairperson of the council has received a submission regarding resuming the fulfilment of the duties of the councillor, he or she shall immediately notify the election commission of the relevant local government thereof and inform the councillors in the next council meeting. From the time when the information is provided in the council meeting, the mandate of the councillor invited in accordance with the procedures specified in Paragraph one of this Section shall expire and the substituted councillor shall resume the fulfilment of the duties of the councillor.

If the councillor has been a chairperson or a deputy chairperson of the council prior to setting in of the circumstances referred to in Paragraph one of this Section, he or she shall resume the fulfilment of the office duties of a chairperson or deputy chairperson of the council if the council has not dismissed him or her from the position in accordance with the procedures specified in the law On Local Governments.

[*13 May 2010; 8 April 2021*]

**II. Activity of a Councillor in the Council**

[*17 July 2008*]

**Section 5. Rights of a Councillor During Council Meetings**

A councillor has voting rights in all issues which are reviewed in the council meetings.

A councillor has the right:

1) to elect all authorities and officials which, in accordance with the law or a decision of the council, must be elected in the relevant local government;

2) to be elected in authorities and positions of the council if restrictions have not been determined in other laws;

3) to submit proposals or express an opinion on the composition of the authorities to be established by the council and candidacy of certain officials;

4) to submit proposals, to express comments and objections on the agenda of the meeting, the essence of the issues to be discussed, and the sequence of review;

5) to submit draft decisions and other draft documents, and also proposals for amendments thereto in accordance with the procedures laid down in the local government by-laws;

6) to participate in debates, to ask questions, to provide statements;

7) [22 January 2015];

8) to express his or her opinion on the motives of voting after the voting has been done;

9) to propose a matter regarding control of the work of capital companies or institutions of the relevant local government.

[*17 July 2008; 22 January 2015; 13 February 2020*]

**Section 6. Participation of a Councillor in the Work of Authorities of the Council**

A councillor shall participate with the voting right in the work of the authority of the council in the composition of which he or she has been elected. If the councillor does not agree with a decision of such authority, he or she has the right to express his or her individual opinion in the council meeting.

The councillor may also participate, in advisory capacity, in the work of those authorities of the council in the composition of which he or she has not been elected.

[22 January 2015]

[*17 July 2008; 22 January 2015*]

**Section 7. Procedures by which Proposals and Comments of a Councillor shall be Considered in the Council Meeting**

The secretary of the meeting shall register proposals and comments of a councillor submitted in writing to the chairperson of the meeting.

The council or the authorities thereof shall consider proposals and comments of the councillor or they shall be sent to the officials of the relevant capital companies, institutions, and organisations.

The authority which has received the proposals and comments of the councillor shall, within a reasonable period of time, but not later than within 10 working days after the day of receipt thereof, consider them and notify the councillor in writing of the results of consideration thereof.

[*23 November 2000; 27 September 2007; 17 July 2008; 22 January 2015; 13 February 2020*]

**Section 8. Duties of a Councillor in the Council**

A councillor has the following duties in the council:

1) to participate in the council meetings as well as in the meetings of the authority in the composition of which he or she has been elected;

2) to comply with the requirements of this Law as well as of the by-laws and meeting regulations of the council;

3) to fulfil instructions and assignments of the council, the chairperson thereof, and the managers of such authorities in the composition of which the councillor has been elected.

If the councillor cannot arrive to the council meeting or the meeting of the relevant authority, he or she shall, until the beginning of the meeting, notify thereof the chairperson of the council or the head of the authority in the composition of which he or she has been elected.

[*23 November 2000; 17 July 2008*]

**III. Activity of a Councillor in an Electoral District**

[*8 April 2021*]

**Section 9. Rights of a Councillor**

A councillor has the following rights in his or her electoral district:

1) to be present when issues concerning the interests of the relevant local government or voters of his or her electoral district are reviewed in the State administration institutions;

2) to control the work of capital companies and institutions of the local government in accordance with the task entrusted by the council or authorities thereof;

3) to request oral or written explanations from the officials of the State and local government institutions, the boards of the State and local government capital companies in matters which concern the interests of the relevant local government or voters of his or her electoral district;

4) to get acquainted with the documentation of the State and local government institutions and also local government capital companies which concern the interests of the relevant local government, unless prohibited by law;

5) to submit proposals and requests to the officials of capital companies and institutions;

6) to request the relevant authorities that they eliminate violations of law;

7) to organise meetings with inhabitants;

8) to implement other rights of the councillor provided for in this Law and other laws.

The councillor shall execute his or her rights without special authorisation, if necessary by presenting his or her councillor’s certificate.

The explanations referred to in Paragraph one, Clause 3 of this Section shall be submitted within 10 working days after the day of receipt of the request of the councillor. The councillor shall be informed within a reasonable period of time of the results of consideration of the requests referred to in Clauses 5 and 6 of this Section, but not later than within 10 working days after the day of receipt of the request of the councillor.

If the councillor has requested the information referred to in Paragraph one, Clauses 3, 4, and 5 of this Section from the local government authority or local government capital company, the information shall be provided in accordance with the procedures for recording and circulation of information requests determined by the local government council.

Upon receipt of the information obtained during the fulfilment of the duties of a councillor, the councillor has the obligation to comply with the requirements of the Freedom of Information Law in respect of restricted access information and the laws and regulations governing the processing and protection of personal data.

The councillor may appeal the refusal of the authority to reply to the submission or information request or the non-provision of a reply and information in accordance with the procedures laid down in the Law on Submissions and the Freedom of Information Law.

[*27 September 2007; 17 July 2008; 22 January 2015; 13 February 2020*]

**Section 10. Duties of a Councillor in His or Her Electoral District**

A councillor has the following duties in his or her electoral district:

1) to participate in the control of implementation of decisions of the relevant council;

2) to examine complaints and submissions of inhabitants and provide replies in accordance with the procedures and within the time period provided for in the law;

3) to organise reception hours for inhabitants at least once in two months.

[*23 November 2000; 17 July 2008*]

**Section 11. Organisation of Reception Hours for Inhabitants**

A councillor may invite the officials of the capital companies and institutions located in the territory of his or her electoral district to participate in reception hours for inhabitants.

[*22 January 2015*]

**IV. Guarantees for Activity of a Councillor**

**Section 12. Ensuring Conditions for Activity of a Councillor and Remuneration for the Fulfilment of the Duties of a Councillor**

In order for a councillor to execute his or her mandate, the local government has a duty, within the framework of the resources intended for such purpose in the local government budget and in accordance with the procedures specified by the council:

1) to provide premises suitable for the work of the councillor;

2) to ensure councillors with the transport services at the disposal of the local government institutions;

3) to provide the councillor with a possibility to use the communication means, computing, duplication, and printing equipment at the disposal of the local government;

4) to ensure training for the councillor which is determined as mandatory by the law, and also, upon request of the councillor, to ensure training of the official language and acquisition of other necessary knowledge.

A councillor shall receive remuneration for the fulfilment of the duties of a councillor which is determined in compliance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

[*23 November 2000; 17 July 2008; 23 September 2010; 22 January 2015*]

**Section 13. Duties of Local Government Institutions and Capital Companies in Provision of Conditions Necessary for the Execution of the Mandate of a Councillor**

The managers and other officials of local government institutions and capital companies in the territory of the electoral district of a councillor have the following duties:

1) to see the councillor on a priority basis and provide explanations to him or her;

2) to provide the councillor with the information necessary for the execution of his or her mandate.

The managers and other officials of local government institutions and capital companies shall provide councillors with the explanations and information referred to in Paragraph one of this Section within a reasonable term, but not later than within 10 working days after the day of receipt of the request of the councillor.

[*27 September 2007; 22 January 2015; 13 February 2020*]

**Section 14. Employment Relationship of a Councillor with the Employer**

A councillor may combine the office of a councillor with another office in the relevant local government or with another employer, unless the law specifies any restrictions on the combination of offices.

The employer may not prohibit the councillor from executing his or her mandate during working hours.

If it is necessary to execute the mandate during working hours, the councillor shall notify the employer thereof in writing in due time.

If the councillor executes the mandate determined in this Law during working hours, salary may be not disbursed to him or her for such period of time.

[*22 January 2015*]

**Section 15. Protection of Employment Rights of a Councillor**

[13 May 2010]

**Section 15.1 Allowance for the Chairperson of the Local Government Council or Municipality Council or His or Her Deputy**

A person who in the period of time from 4 May 1990 to 30 June 2021 has held the following positions of the town council, elected regional council, municipality council, or rural territory council has the right to receive a monthly allowance in the amount of two minimum monthly salaries (hereinafter – the allowance):

1) a chairperson for two sessions in one local government;

2) a chairperson in one local government for one session and a deputy chairperson who has held paid position in such local government for other session;

3) a deputy chairperson who has held paid position in one local government for two sessions;

4) a chairperson or deputy chairperson in one local government for one session and a chairperson or deputy chairperson during the activity of such local government council which has been established by amalgamating the relevant local government with another local government;

5) a chairperson or deputy chairperson in one local government for one session and a chairperson or deputy chairperson for one session in such local government until the day when it was amalgamated with another local government.

The local government shall grant an allowance on the basis of a submission of the relevant person which is submitted to the relevant local government, if the person complies with all of the following criteria:

1) he or she has reached or not later than within five years will reach the age at which the person is entitled to an old-age pension in accordance with the law On State Pensions or has been recognised as a person with disability;

2) he or she is not considered an employee or self-employed person in accordance with the law On State Social Insurance, except for an owner of farm (fishing enterprise) who, not being in employment relationship with the administrative body of his or her farm (fishing enterprise), performs the function of the manager of such enterprise, if the manager (director) has not been appointed (elected) in the relevant enterprise in accordance with the procedures specified by the law;

3) he or she does not receive an unemployment benefit in accordance with the law On Unemployment Insurance.

If a person concurrently has the right to the allowance specified in this Section and disability pension, old-age pension or compensation for the loss of ability to work, then the part of allowance which exceeds the amount of disability pension, old-age pension or compensation for the loss of ability to work shall be disbursed.

The person who receives an allowance has an obligation to notify the local government of setting in of such conditions which cause reduction or interruption of disbursement of the allowance. The allowance which has been received in violation of the provisions of this Section shall be repaid to the local government.

The disbursement of the allowance shall be discontinued if the person fails to conform to the criteria specified in this Section for granting the allowance, and also in case if the person departs for permanent residence in foreign countries. The disbursement of the allowance shall be discontinued due to the death of the person to whom the allowance has been granted.

The local government shall make State social insurance contributions for the State pension insurance for the person to whom the allowance has been granted and is being disbursed and who has not reached the age necessary for granting an old-age pension. State social insurance contributions for the State pension insurance shall not be made for the time period during which the person is an unemployed person with disability. A late payment charge shall not be calculated for State social insurance contributions for pension insurance not made in due time. The Cabinet shall determine the procedures by which State social insurance contributions for the State pension insurance shall be made and repaid for the person who receives the allowance and the amount of such contributions, and also the procedures by which the State pension capital of the abovementioned persons shall be registered.

The allowance as well as the expenditures related to the granting and disbursement of the allowance and making of the State social insurance contributions shall be financed from the budget resources of such local government in which the person has held the positions referred to in Paragraph one of this Section, or by the local government which is the legal successor of obligations and rights of the relevant local government.

[*27 September 2007; 17 July 2008; 13 May 2010; 8 April 2021*]

**Section 16. Compensation of Expenses Related to the Activity of a Councillor**

[1 December 2009]

**Section 17. Release of a Councillor from Conscription into Mandatory Military Service**

[27 September 2007]

**Section 18. Councillor’s Certificate and Councillor’s Insignia**

A councillor has a councillor’s certificate and councillor’s insignia which is issued to him or her by the relevant council. The councillor shall use such certificate and insignia throughout his or her term of mandate.

Samples of the councillor’s certificate and councillor’s insignia shall be determined by the Cabinet.

[*17 July 2008*]

**Transitional Provisions**

[*17 February 1997*]

1. [23 November 2000]

2. This Law shall also apply to the councillors of a single decision-making body which is a town council or rural territory council established within the amalgamated administrative territory.

3. [23 November 2000]

4. Section 3.1 of this Law shall come into force on 11 March 2001.

[*23 November 2000*]

5. Section 15.1 of this Law shall come into force on 1 January 2008.

[*27 September 2007*]

6. The Cabinet shall, by 1 September 2008, issue the regulations referred to in Section 15.1, Paragraph six of this Law.

[*17 July 2008 /* *The new wording of Paragraph shall come into force on 31 July 2008.* *See the note of the law of 17 July 2008 regarding coming into force thereof.*]

7. In 2009, the remuneration (salary, bonuses, benefits, compensations) specified in accordance with this Law shall be determined in accordance with the law On Remuneration of Officials and Employees of State and Local Government Authorities in 2009.

[*12 June 2009*]

8. Provisions of Section 4, Paragraphs two, six, seven, and eight of this Law shall not apply to the councillors who have been elected in the local government council elections of 2009. In order to ensure the acquisition of the official language for the councillors who have been elected in the local government council elections of 2009, the provisions of Section 4, Paragraphs three, four, and five of this Law shall be applied.

[*23 September 2010*]

The Law shall come into force from the day of its proclamation.

The Law has been adopted by the *Saeima* on 17 March 1994.

President G. Ulmanis

Rīga, 30 March 1994